

PROSTITUTION

JAMES R. ROBERTSON
LAW AND GOVERNMENT DIVISION

9 FEBRUARY 1982
Reviewed 28 April 1989



Library of
Parliament
Bibliothèque
du Parlement

Research
Branch

The Research Branch of the Library of Parliament works exclusively for Parliament, conducting research and providing information for Committees and Members of the Senate and the House of Commons. This service is extended without partisan bias in such forms as Reports, Background Papers and Issue Reviews. Research Officers in the Branch are also available for personal consultations in their respective fields of expertise.

© Minister of Supply and Services Canada 1989

Cat. No. YM32-1/82-2-1989-04E
ISBN 0-660-13370-9

N.B. Any substantive changes in this Review which have been made since the preceding issue are indicated in **bold print**.

CE DOCUMENT EST AUSSI
PUBLIÉ EN FRANÇAIS



CANADA

LIBRARY OF PARLIAMENT
BIBLIOTHÈQUE DU PARLEMENT

PROSTITUTION*

ISSUE DEFINITION

Prostitution is a controversial subject, involving complex and contradictory interests, values and issues. The most visible evidence of prostitution - street solicitation - is an acute problem in larger Canadian cities, where the activities of prostitutes have transformed certain areas into unpleasant, congested, and, some would contend, dangerous places, havens for the attendant ills of drug addiction and violent crime. This situation poses difficult questions to government: which jurisdiction should exercise its powers to deal with prostitution, and what type of power should be used? Moreover, how far should the state go in exercising its powers to limit the practice of prostitution, and is prostitution a problem in itself, or merely part of larger problems?

One body of opinion holds that dealing with merely the most visible and publicly offensive aspects of the "oldest profession" will do little more than move the problem around; that the allegedly harmful effects of prostitution derive less from its inherent qualities than from our ambivalent attitude and conduct towards it. Canadian law has relegated prostitution to a grey area of quasi-legality, and consideration of it is often coloured by mixed attitudes of jocularly, contempt, moral indignation, or indifference.

Prostitution is at once a feminist and civil libertarian issue, and a law and order issue. It raises questions of morality and constitutional rights and freedoms. One of the few areas of consensual sexual activity that is still subject to legal control and the imposition of criminal sanctions, prostitution continues to engender vigorous debate.

* This paper is based on work originally done by Donald Macdonald.

BACKGROUND AND ANALYSIS

A. The Development of the Criminal Law

The term "prostitution" is not defined in the Criminal Code, but the caselaw has identified three main elements of the activity - the provision of sexual services, the essentially indiscriminate nature of the act, and the necessity for some form of payment.

The actual act of exchanging sexual gratification for a consideration has never been criminally illegal in Canada. The criminal law did, and does, however, deal with activities related to prostitution which are deemed a threat to public order or offensive to public decency. Incorporated into Canada's first Criminal Code in 1892, and essentially unchanged until 1972, was a provision which treated the activities of a prostitute seeking out customers as a form of vagrancy. Section 175(1)(c) deemed every woman a vagrant who:

being a common prostitute or nightwalker is found in a public place and does not, when required, give a good account of herself.

This section (known as the "vag c" charge) was used effectively to hinder street solicitation. Under it, however, women, and only women, could be dealt with essentially on the basis of status and not for any overt act, the usual basis of criminal liability. Moreover, the section required the woman to "give a good account of herself", something in possible conflict with the common law privilege against self-incrimination and, since 1960, inconsistent with the principles of the Canadian Bill of Rights. Following these criticisms by the judiciary and by the Report of the Royal Commission on the Status of Women, the "vag c" provision was repealed in 1972 and replaced by section 195.1, which read:

Every person who solicits any person in a public place for the purpose of prostitution is guilty of an offence punishable on summary conviction.

This section sought to punish only an overt act - solicitation - although what constituted solicitation was not defined. Section 195.1 seemed to respond to the objections to the "vag c" section, and to deal with the

social nuisance aspect of prostitution. It did not compel a suspect to give an account of his or her actions, and appeared to apply to both men and women.

According to critics at both ends of the spectrum, however, section 195.1 was a failure. The first issue had to do with the definition of "solicits". The case of Hutt v. R.^{*}, decided by the Supreme Court of Canada in 1978, held that for the activities of a prostitute to be criminal her conduct must conform to the dictionary definition of "solicit"; that is to say, it must be importuning, or "pressing or persistent", and constitute more than a mere indication that she was willing to prostitute herself. In this case, a plainclothes police officer had permitted the appellant to enter his car, where she had identified herself as a prostitute and had discussed terms for her services. Such conduct, according to the Court, was certainly not within the scope of a criminal provision intended by Parliament to prohibit acts "which would contribute to public inconvenience". Four judges of the Court also indicated that, had the issue arisen, they would not have considered the automobile to be a "public place" and, thus, the conduct would not have been within section 195.1 on a second ground.

According to many critics, the Hutt decision left the police powerless to deal with burgeoning street prostitution. So long as the requisite persistence was avoided, prostitutes could congregate and ply their trade without fear of interference.

As well, section 195.1 was interpreted by the courts as applying only to the actions of female prostitutes. This was remedied by a 1983 amendment which stipulated that "prostitute" means a person of either sex who engages in prostitution. Another controversial issue was whether or not a "client" could be charged with solicitation. The B.C. Court of Appeal held that the words "for the purpose of prostitution" referred only to the act of the person prostituting him or herself (R. v. Dudak). On the other hand, the Ontario Court of Appeal held (in R. v. DiPaola) that those words referred to either party to the transaction.

* Citations for this and subsequent cases will be found at the end of this paper.

Less controversial have been other provisions of the Criminal Code dealing with prostitution. Even though the act is "legal", criminal sanctions apply to the place where it is carried on: section 193 allows the conviction of a person who "keeps", is an "inmate" of, is "found in", or who as an owner allows a place to be used as a "common bawdy house". This is defined, in section 179, as a place kept or occupied or resorted to by one or more persons for the purpose of acts of prostitution or indecency. The courts have held that, to come within that definition, a place must be resorted to for prostitution on a habitual and regular basis (R. v. Patterson). Thus, a conviction for keeping a common bawdy house was secured against a woman who used her own apartment, alone, but on a regular basis, for purposes of prostitution (R. v. Worthington).

Beyond attempting to regulate solicitation and the place where prostitution takes place, the Criminal Code also attempts to throw a net around a broad variety of related activities. Section 194 makes it an offence to knowingly "take, transport or direct" (or offer to do the same) any person to a common bawdy house. Section 195 is a catalogue of 11 offences relating to pimping, procuring, and living off the avails of prostitution.

In summary, the treatment of prostitution in Canadian criminal law is ambivalent: while the actual act is not criminal, virtually all the activities necessarily associated with it are.

B. Proposals for Change

After the decision by the Supreme Court of Canada in Hutt, there was increasing public pressure to amend section 195.1 to expand the definition of soliciting. This was in response to what some perceived as the "plague" of street prostitution. Police and provincial governments wanted to be able to deal with activity which in their opinion blighted residential and commercial areas, and brought with it other criminal activity, including drug trafficking and the exploitation of children.

The federal government's delay or failure to act prompted several Canadian cities with street solicitation problems to attempt to take action on their own. The cities of Montreal (in 1980) and Calgary (in

1981) enacted by-laws which, essentially, forbade the use of the streets and other public areas by those seeking to prostitute themselves or to obtain the services of a prostitute. These by-laws were purportedly enacted under the municipal powers, derived from the provinces, to regulate the use of the streets and to restrict activity which encourages criminality. Both by-laws were said by police and municipal officials to deal effectively with street prostitution, but both were found to be invalid by the courts. In R. v. Westendorp the Court struck down the Calgary by-law as being an attempt by the municipality to enact criminal sanctions, something within exclusive federal jurisdiction. A similar ruling was made in 1984 with respect to the Montreal by-law (Goldwax et al. v. City of Montreal). These rulings effectively nullified other similar by-laws enacted or proposed in Vancouver, Niagara Falls, Regina and Halifax.

In October 1983, the City of Montreal made yet another attempt to control prostitution by municipal by-law, this time in a more indirect fashion. It enacted a by-law which purported to forbid the selling of any services on city streets without a permit, thereby, in effect be prohibiting street prostitution by not issuing "soliciting" permits. Although the validity of the by-law was upheld in Quebec Superior Court, the constitutional validity of a similar by-law of the City of Niagara Falls was successfully challenged.

A new strategy to attempt to deal with street solicitation was undertaken in British Columbia in the summer of 1984. The provincial Attorney General applied to the B.C. Supreme Court for an injunction seeking to restrain, as a common law public nuisance, prostitution-related activity in a specified residential area of the City of Vancouver. The court granted an interim injunction (A.G. B.C. v. Couillard), which forbade male and female prostitutes from publicly offering or appearing to offer themselves, directly or indirectly, for the purposes of prostitution. This "temporary" injunction also restrained a variety of other activities in relation to trespass and disturbance of the peace by prostitutes. The court based the order upon evidence from residents of Vancouver's West End as to the effect that unrestricted street solicitation had had on their neighbourhood. No trial was held with respect to a permanent injunction

because the interim measure was rescinded, on the application of the Attorney General, after the enactment of new legislation in December 1985.

In December 1984, the Attorney General of Nova Scotia applied for an injunction in that province's Supreme Court to restrain the alleged public nuisance occasioned by prostitutes in the City of Halifax. The application was refused, however, on the basis that the province was trying to control by civil procedure a matter which fell within criminal, and, hence, federal jurisdiction. The Nova Scotia Court of Appeal subsequently dismissed an appeal by the Attorney General in March 1985 (A.G.N.S. v. Beaver).

C. The Fraser Committee

In June 1983, the Minister of Justice established a special committee to enquire into the issues of prostitution and pornography. That body, known as the Fraser Committee after its chairman, issued its report in April 1985.

The report declared that prostitution, in all its forms, was a widespread phenomenon in Canada, particularly in urban centres. It found that, although there was a dearth of empirical information about prostitution, it was likely that economic distress was a significant factor in compelling many women to take up the practice. The Committee also found that the Canadian public was ambivalent about the matter - that although most would oppose further criminalization of prostitution and related activities, there was also significant support for actions which would alleviate the "nuisance" aspects of it.

The Committee reviewed three suggested strategies for dealing with prostitution - criminalization, decriminalization, and regulation. Criminalization would forbid all manner of prostitution and related activities. The Committee rejected this approach, because it would lack public support, would be virtually impossible to enforce, and would apply a narrow moral view by way of criminal sanction.

Although sympathetic to the aims of decriminalization, the Committee did not fully support it. It dismissed as a "romantic notion" the idea that all would be well with the world of prostitution if only the

criminal law were removed. In its view, all of the opportunities for damage, abuse and exploitation would remain. Finally, the Committee also rejected an exclusive regulatory approach - that prostitution should be controlled and regulated by the state, as is done in Nevada or West Germany. Quite aside from this approach's implication that the state approves of, and profits from, prostitution, according to the Committee such regulation in other jurisdictions at worst borders on bondage and at best involves serious infringements of the civil liberties of those working there.

The recommendations of the Committee did not derive exclusively from any one of these approaches: rather, elements were borrowed from all three, in varying degrees. Most significantly, the recommendations addressed economic and social reforms that might alleviate the causes of prostitution. For example, the Committee recommended that governments in Canada strengthen their moral and financial commitment to the removal of social inequalities between men and women, ensure that there are adequate social programs to assist women and young people in need, and direct more funding to community groups involved in the care and welfare of both practising and reformed prostitutes.

The Committee, with one member dissenting, decided that it would be wrong to remove all criminal sanctions with respect to prostitution. It did, however, suggest a thorough revision and "fine-tuning" of the criminal law on the matter, in the area of street prostitution recommending a "tougher" criminal sanction. The Committee concluded that the unrestricted nature of such activity was causing harm in the form of disturbance and nuisance, and that there was "no justification for shielding prostitutes or customers from legal responsibility for criminal acts or for creating definable nuisances". Accordingly, it suggested a new offence of interfering or attempting to interfere, on more than one occasion, with pedestrian or vehicular traffic for the purposes of offering to engage in prostitution or of employing the services of a prostitute. The Committee rejected the approach of criminalizing the mere offer or acceptance - the proposed amendment would require some degree of "disturbing" activity.

The Fraser Committee proposed to balance its recommendation for more severe treatment of street soliciting by easing other restrictions on the actual act of prostitution. It recommended replacing the bawdy house provisions with provisions for criminalizing only the use of premises by more than two prostitutes. The Committee took the view that it is illogical to permit acts of prostitution and yet make it illegal to resort to certain places to carry them out. By restricting the operation of prostitution establishments to a maximum of two persons, nuisance would supposedly be avoided, and a prostitute could use his or her own residence. The other proposed exception - that prostitution establishments be permitted to be licensed and operated in accordance with regulatory schemes established by a provincial or territorial legislature - was more controversial. Such establishments would not have the extensive regulation known in some other jurisdictions, but would merely be licensed and zoned like other businesses.

The Committee also recommended repeal of the procuring offences and the offence of living on the avails of prostitution. They would be replaced by a much more limited section which would deal only with procuring accomplished by the use of force, threats or other coercive or threatening behaviour. Another new offence would cover inducing a person through threats or coercion to support one financially through prostitution. The rationale was that procuring or living on the avails of prostitution should not be criminal unless it involved improper inducement.

The Committee concluded with the following observation as to how governments should act:

Prostitution cannot be dealt with on a piecemeal basis,
but only by carefully linking the provisions on each
aspect of prostitution-related activity.

D. Bill C-49

Reaction to the report of the Fraser Committee was mixed. Many groups, in particular civic officials, were pleased with the recommendations on street solicitation. In contrast, the proposals for regulation of prostitution establishments were not well received, and no

provincial attorney general has indicated any support for such regulation. The police also objected to the suggested repeal of bawdy house laws.

Shortly after the report was made public, the Minister of Justice introduced Bill C-49, which was considered by Parliament in November and December 1985, and came into force on 28 December 1985. The legislation replaced section 195.1 with an offence that makes illegal the acts of a person who, in a public place, or in any place open to public view and for the purpose of engaging in prostitution or of obtaining the sexual services of a prostitute,

- a) stops or attempts to stop any motor vehicle,
- b) impedes the free flow of pedestrian or vehicular traffic or ingress to or egress from premises adjacent to that place, or
- c) stops or attempts to stop any person or in any manner communicates or attempts to communicate with any person....

In addition "public place" is defined to include motor vehicles in or on public places.

This legislation has been controversial. Citizens' groups from areas affected by street prostitution, many civic governments, and law enforcement officials have welcomed it enthusiastically. Other groups, however, have expressed profound opposition to it, contending that it merely moves the problem of prostitution elsewhere, that it gives too much discretion to the police and prosecutorial authorities, and that it potentially endangers those who are involved in the activity by increasing the powers of pimps. Although the Minister indicated during committee proceedings on the bill that further amendments to the Criminal Code to deal with prostitution would be forthcoming, no further measures related to adult prostitution have been introduced. Bill C-49 did specify that, after it had been in force for three years (i.e. 20 December 1988), its operation would be reviewed by a committee of the House of Commons.

E. Recent Developments

The constitutional validity of Bill C-49 is, at present, an unresolved issue and there have been a variety of divergent judgments in courts of various levels across Canada. In 1986 two lower courts reached contradictory conclusions about the constitutionality of the new provision (R. v. McLean; R. v. Bear). In May 1987, the Appeal Division of the Nova Scotia Supreme Court ruled that the legislation violates the guarantee of freedom of expression in the Canadian Charter of Rights and Freedoms, in that it places unusual constraints on communication in relation to activity that is not illegal (R. v. Skinner). On 17 July 1987, the Alberta Court of Appeal (in R. v. Jahelko) reached a contrary conclusion: while the law does infringe on freedom of expression, the Alberta court held that it falls under the justifiable limitation clause of the Charter, as no "clear and convincing" alternative was available for dealing with the nuisance of street prostitution. A third appellate court decision is Reference Re Sections 193 and 195.1(1)(c) of the Criminal Code in the Manitoba Court of Appeal. Like the Alberta Court, this sustained section 195.1(1)(c), but without recourse to section 1 of the Charter. It held that "freedom of expression" is not even prima facie involved, and generally adopted a restrictive approach to the Charter. **It remains for the Supreme Court of Canada to resolve the issue; the Court heard arguments on 1 and 2 December 1988 and will issue its decision in due course.**

The particular problem of child prostitution was addressed by the Fraser Committee, and also by the Committee on Sexual Offences Against Children and Youth (the Badgley Committee) in its 1984 report. On 29 October 1986 the Minister of Justice introduced, in Bill C-15, provisions relating to child prostitution. The bill amended section 195 of the Criminal Code to criminalize, and make punishable by a sentence of up to five years' imprisonment, every person who:

in any place, obtains or attempts to obtain, for consideration, the sexual services of a person who is under the age of eighteen years....

The section was also amended to make 14 years' imprisonment the maximum punishment for living off the avails of prostitution of a

person under 18. The maximum punishment for living off the avails of an adult prostitute remains ten years' imprisonment.

Bill C-15 came into force on 1 January 1988.

PARLIAMENTARY ACTION

Bill C-127 (Given Royal Assent, 27 October 1982)

Clause 11 of this bill, amending the Criminal Code on sexual offences, stipulated that a prostitute is "a person of either sex who engages in prostitution". Also, clause 13 rendered section 195 of the Code (procuring) sex-neutral.

Bill C-19 (First Reading, 7 February 1984)

This bill would have amended section 195.1 to make it clear that clients could be charged, and that solicitation in cars in or on public places would also be illegal.

Bill C-49 (Royal Assent, and in force, 28 December 1985)

The bill repealed section 195.1 and replaced it with a new provision, applicable to both clients and prostitutes, prohibiting solicitation which impedes or otherwise interferes with the use of streets and public places.

Bill C-15 (Royal Assent 30 June 1987, in force 1 January 1988)

This legislation prohibits patronizing a prostitute under 18 years of age, and increases the punishment for living on the avails of prostitution where the prostitute is under 18.

Bill C-61 (Royal Assent, 13 September 1988, in force 1 January 1989)

This legislation, dealing with the proceeds of crime, applies to the Criminal Code offences of keeping a common bawdy house (section 193) and procuring (section 195).

CHRONOLOGY

- 1892 - Inclusion of vagrancy, bawdy house and procuring provisions in the first Criminal Code. These provisions were to remain essentially unchanged for 80 years.
- 1970 - The Report of the Royal Commission on the Status of Women recommended repeal of the vagrancy provision dealing with prostitution and a study of how best to deal with the activity.
- 15 July 1972 - Criminal Code amendment bill which introduced section 195.1 - soliciting - was proclaimed.
- 8 February 1978 - The decision of the Supreme Court in R. v. Hutt was handed down, giving a narrow interpretation of "solicit".
- November 1978 - The Law Reform Commission Report on Sexual Offences recommended making it clear that the word "prostitute" applied to both men and women. It also recommended further study of the law dealing with prostitution.
- 26 May 1980 - The City of Montreal passed an anti-prostitution by-law restricting soliciting on city streets.
- 25 June 1981 - The City of Calgary passed two by-laws intended to deal with street prostitution, one in respect of solicitation, the other in respect of loitering.
- 1 December 1981 - The Supreme Court handed down its decision in Galjot and Whitter, retaining the restrictive definition of "solicit".
- 6 May 1982 - The House of Commons passed an order of reference directing that the Standing Committee on Justice and Legal Affairs give consideration to "all legal methods" of dealing with street solicitation.
- 25 January 1983 - The Supreme Court of Canada allowed an appeal in Westendorp, and struck down the Calgary by-law.
- 24 March 1983 - The House Justice Committee issued its report on street solicitation.
- 23 June 1983 - The Minister of Justice tabled a proposed draft bill in the House which rejected most of the recommendations of the Justice Committee. He also announced the formation of a special committee to study the problem further, to report by the end of 1984.

- 18 October 1983 - The City of Montreal enacted a new by-law indirectly aimed at suppressing solicitation.
- 7 February 1984 - Bill C-19, which would have made minor amendments to section 195.1, was given first reading.
- 4 July 1984 - The B.C. Supreme Court issued an interim injunction restraining the practice of prostitution in parts of the City of Vancouver as a public nuisance.
- 22 August 1984 - The Badgley Committee issued its report, recommending changes to the criminal law in reaction to child prostitution.
- 12 December 1984 - The Supreme Court of Canada struck down the 1980 Montreal by-law in Goldwax v. City of Montreal.
- 19 December 1984 - The N.S. Supreme Court refused to issue an injunction sought to restrain prostitution in the City of Halifax.
- 13 March 1985 - The N.S. Court of Appeal rejected an appeal by the provincial Attorney General with respect to the injunction.
- 23 April 1985 - The Fraser Committee issued its report on prostitution and pornography.
- 28 December 1985 - Bill C-49 was given Royal Assent, and came into force.
- May 1986 - The B.C. Supreme Court upheld the constitutional validity of the amendments made by Bill C-49. (R. v. McLean)
- 29 October 1986 - Amendments to the Code concerning child prostitution were introduced in Bill C-15.
- 22 May 1987 - The Appeal Division of the Nova Scotia Supreme Court ruled against the constitutional validity of the C-49 amendments. (R. v. Skinner)
- 17 July 1987 - The Alberta Court of Appeal upheld the constitutionality of the provisions of Bill C-49. (R. v. Jahelka)
- 23 September 1987 - The Manitoba Court of Appeal upheld the constitutional validity of Bill C-49. (Ref. re Criminal Code, ss. 193 and 195(1)(c)).
- 1 January 1988 - Bill C-15 regarding child prostitution proclaimed in force.

1-2 December 1988 - Supreme Court of Canada heard arguments regarding the constitutionality of Bill C-49, reserving decision.

1 January 1989 - Bill C-61 (proceeds of crime) proclaimed in force.

SELECTED REFERENCES

Committee on Sexual Offences Against Children and Youths. Sexual Offences Against Children. Supply and Services Canada, Ottawa, 1984.

Ewaschuk, E.G. "Trick or Treat? The Offence of Soliciting." Ottawa Law Review. Vol. 12, 1980, p. 235.

Layton, M. "The Ambiguities of the Law, or The Streetwalker's Dilemma." Chitty's Law Journal, Vol. 27, 1979, p. 109.

Lowman, J. "Prostitution in Vancouver: Some Notes on the Genesis of a Social Problem." Canadian Journal of Criminology, Vol. 28 (January 1986) pages 1-16.

MacLauchlan, H.W. "Criminal Law Meets Civil Law: More than One Way to Skin a Cat." Criminal Reports (3d), Vol. 42, 1985, p. 284.

Shaver, Frances M. "Prostitution: A Critical Analysis of Three Policy Approaches." Canadian Public Policy, pp. 493-503.

Special Committee on Pornography and Prostitution, Pornography and Prostitution in Canada. (2 Vols.). Supply and Services Canada, Ottawa: 1985.

Standing Committee on Justice and Legal Affairs. Seventh Report to the House (respecting soliciting for the purpose of prostitution). Minutes of Proceedings, Issue No. 126, March 24, 1983.

Stuckey, J. "A Feminist Looks at Prostitution." B. Schlesinger, ed. Sexual Behaviour in Canada. U. of T. Press, Toronto, 1977, p. 221-234.

Whyte, J.D. "Prostitution: Municipal Regulation and the Domain of Criminal Law Meet Again." Criminal Reports, Vol. 32, 1982, p. 107.

Yondorf, B. "Prostitution as a Legal Activity: The West German Experience." Policy Analysis, Vol. 5, 1979, p. 417.

CASES

A.G.B.C. v. Couillard (1984), 42 CR (3d) 273, 31 CCLT 26 (B.C.S.C.)

A.G.N.S. v. Beaver (1985), 67 NSR (2d) 281, 155 APR 281 (N.S.C.A.)

Goldwax et al. v. City of Montreal, [1984] 2 S.C.R. 525 (S.C.C.) affirming
[1983] C.A. 342, 146 D.L.R. (3d) 460, 3 C.C.C. (3d) 542 (Que. C.A.)

Hutt v. R. (1978), 82 DLR (3d) 95 (S.C.C.)

Patterson v. R. (1968), 67 DLR (2d) 82 (S.C.C.)

R. v. Bear (1986), 54 C.R. (3d) 68, 47 Alta. L.R. (2d) 255 (Alta. Prov.
Ct.)

R. v. DiPaola (1978), 4 CR (3d) 121 (Ont. C.A.)

R. v. Dudak (1978), 3 CR (3d) 68 (B.C.C.A.)

R. v. Jahelka (1987) 79 A.R. 44, 54 Alta. L.R. (2d) 1

R. v. McLean (1986), 28 C.C.C. (3d) 176, 52 C.R. (3d), 262, 2 B.C.L.R. 232
(B.C. S.C.)

R. v. Skinner (1987), 35 C.C.C. (3d) 203, 79 N.S.R. (2d) 8 58 C.R. (3d) 137
(N.S.C., A.D.)

R. v. Westendorp, [1982] 2 WWR 728 (Alta. C.A.)

R. v. Whitter; R. v. Galjot (1981), 129 DLR (3d) 577 (S.C.C.)

R. v. Worthington (1972), 22 CRNS 34 (Ont. C.A.)

Reference re Section 193 and 195.1(1)(c) of the Criminal Code, [1987] 6
W.W.R. 289 (Man. C.A.)

Westendorp v. R. (1983), 32 C.R. (3d) 97 (S.C.C.)